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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/776,412

02/02/2001

R. Steven Schultz

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08/25/2005

NEEDLE & ROSENBERG, P.C.  
SUITE 1000  
999 PEACHTREE STREET  
ATLANTA, GA 30309-3915

EXAMINER

HAVAN, THU THAO

ART UNIT

PAPER NUMBER

3624

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/776,412

Applicant(s)

SCHULTZ ET AL.

Examiner

Thu Thao Havan

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 February 2001.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-16 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 02 February 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/1/04; 12/30/02.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☒ Other: IDS: 8/26/02; 1/3/05; 9/10/01.

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to because the elements are in handwritten format for figures 9-14. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Herman et al. (US patent no. 6,341,353).

Re claims 1, 7, and 11, Herman teaches a method for providing an electronic receipt for facilitating product return (figs. 19 and 22), comprising the steps of: conducting a sales transaction relating to a product between a buyer and a seller (col. 22, lines 18-24; fig. 4 discloses consumer/user corresponds to a buyer and a merchant/vendor corresponds to a seller); generating an electronic receipt including information describing the product (col., lines; fig. 22), including information indicating completion of the transaction (col. 1, lines 63-66), and including a hyperlink having associated with it a product return procedure (col. 2, lines 11-14); and transmitting the receipt via a computer network to a computing device operated by the buyer (figs. 1 and 9), the buyer being presented via a hypermedia user interface of the device with a representation of the information describing the product (col. 6, lines 41-54; fig. 9), a representation of the information indicating completion of the transaction (fig. 18), and a representation associated with the hyperlink (col. 43, line 4 to col. 44, line 37; figs. 16-17 and 19). *In other words, Herman discloses a smart electronic receipt system wherein a buyer and seller conducting sales transaction and receiving a receipt upon completion of the transaction. His system includes hyperlinks embedded in the Smart Receipt that enable the customer to access customer service and order status. The*

*merchant may also embed additional services within the Smart Receipt, including special offers for future purchases.*

Re claims 2 and 12, Herman teaches a buyer activating the hyperlink using the computing device (col. 2, lines 11-14); and in response to activation of the hyperlink, transmitting information to the computing device including a presentation to the buyer via the hypermedia user interface of steps for returning a product to the seller (fig. 22).

Re claims 3 and 13, Herman teaches returning a product include: transmitting a return shipping label to the computing device and the buyer producing a hard copy of the return shipping label (col. 38, lines 8-24). *Herman discloses a returning product includes either through a link to redemption at an online commerce site or by being printed on paper.*

Re claims 4 and 14, Herman teaches a buyer activating the hyperlink using the computing device (col. 4, lines 16-36; fig. 1); and in response to activation of the hyperlink, transmitting information to the computing device including a presentation to the buyer via the hypermedia user interface of steps for obtaining warranty service for a defective product (col. 37, lines 25-35).

Re claims 5 and 15, Herman teaches a buyer activating the hyperlink using the computing device (col. 4, lines 16-36; fig. 1); and in response to activation of the hyperlink, transmitting information to the computing device including a presentation to the buyer via the hypermedia user interface text of a product warranty (col. 44, lines 53-55).

Re claims 6 and 16, Herman teaches obtaining warranty service include: transmitting a return shipping label to the computing device; and the buyer producing a hard copy of the return shipping label (col. 38, lines 1-39; col. 39, lines 34-41).

Re claim 8, Herman teaches receipt generator encrypts the receipt before transmitting the receipt (col. 22, line 42 to col. 23, line 5; col. 44, lines 5-21; fig. 9). *In figure 9, Herman discloses encryptions by having a user id. For example, the buyers and sellers are required to sign the transaction record with their private digital-signature.*

Re claim 9, Herman teaches server computer is operated by an originating party who is neither the seller nor the buyer (fig. 1).

Re claim 10, Herman teaches receipt generator initiates transmission of a return shipping label to the buyer (figs. 2-3 and 10).

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Christensen et al., US patent no. 5,710,886, discloses rebates and coupons in relation to electronic system;

Tognazzini, US patent no. 5,739,512, discloses digital receipts deliver over an open network;

Ray et al., US patent no. 6,067,529, discloses electronic receipt;

Buchanan, US patent no. 6,009,408, discloses electronic receipt in relation to travel expenses; and

Walker et al., US patent no. 5,970,470, discloses receipt of a credit card.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (703) 605-0200. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct-uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

TTH  
8/20/2005



VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3800